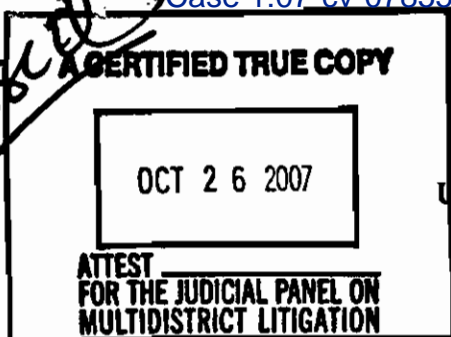


Closed



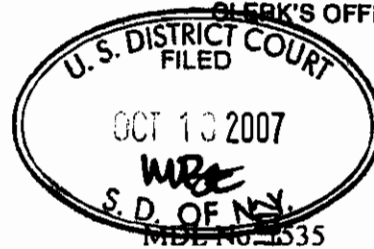
DOC # 42

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT 10 2007

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

FILED
CLERK'S OFFICE



**IN RE: WELDING FUME PRODUCTS LIABILITY
LITIGATION**

Michael Toscano, et al. v. Lincoln Electric Co., et al.,)
S.D. New York, C.A. No. 1:07-7855)

CONDITIONAL TRANSFER ORDER (CTO-54)

On June 23, 2003, the Panel transferred three civil actions to the United States District Court for the Northern District of Ohio for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 269 F.Supp.2d 1365 (J.P.M.L. 2003). Since that time, 399 additional actions have been transferred to the Northern District of Ohio. With the consent of that court, all such actions have been assigned to the Honorable Kathleen McDonald O'Malley.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Northern District of Ohio and assigned to Judge O'Malley.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Northern District of Ohio for the reasons stated in the order of June 23, 2003, and, with the consent of that court, assigned to the Honorable Kathleen McDonald O'Malley.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Ohio. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery M. Luthi
Jeffery M. Luthi
Clerk of the Panel

